

10/089,292

Application/Control Number: 10/089,292

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Art Unit: 1648

EXAMINER'S AMENDMENT

The amendment filed on Sept. 07, 2006 has been acknowledged. Claims 34, 54 and 66 have been amended. Claims 1-33, 47 and 60-64 have been canceled. Claims 34-46, 48-59 and 65-66 are pending.

Rejoining the method claims

Claims 50-53 are rejoined because they are directed to use the structurally same polypeptide of the allowed claim 34.

Further, the examiner notes that the prohibition against double patenting rejections of 35 U.S.C. 121 does not apply where the restriction requirement is withdrawn by the examiner before the patent issues. See MPEP § 804.01.

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark S. Scott on December 19, 2006.

The application has been amended as follows:

Claim 34 (current amended). In line 2 before "amino acid" please delete "an" and insert -
--- the ---

Claim 49 (current amended). In line 3, please delete "46" and insert --- 48 ---

Claim 66 (current amended). In line 3 after "comprising" please delete "an" and insert ---
the ---. In step ^{b/}6, please substitute the misspelled word "miroplate with microplate.

Please cancel claims 37-45, 58-59 and 65.

Claims 34-36, 46, 48-57 and 66 are allowed.

2. The following is an examiner's statement of reasons for allowance: The claimed invention is drawn to an unexpected result that the claimed peptide of pE2 comprises three unexpected mutation at the end of its N-terminus, wherein such kind of mutation makes the peptide pE2 is produced as naturally as a homodimer that possess a particular conformational epitope capable of exhibiting a significant protective immunogenic activity against HEV virus infection.

BSH
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